

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

TOMMY LEE BROWN,

Plaintiff,

-vs.-

JONES, et al.

Defendants.

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ORDER TO PRODUCE

15-cv-6108 (EAW)(MWP)

ECF

**TO: Ernest J. Lowerre, Superintendent
Five Points Correctional Facility
6600 State Route 96
Romulus, New York 14541**

WHEREAS Tommy Lee Brown 98A5078 (“Plaintiff”) is Plaintiff in the above-captioned matter;

WHEREAS Plaintiff is currently in custody at Five Points Correctional Facility in Romulus, New York;

WHEREAS Amy Jane Agnew, Esq. serves as pro bono counsel to Mr. Brown’s guardian *ad litem*; and

WHEREAS Ms. Agnew has retained a forensic psychiatrist located in Texas who needs to confidentially assess and speak with Mr. Brown; and

WHEREAS, Ms. Agnew needs to attend the session in person at Five Points so she can be available to Mr. Brown and the expert during the assessment as necessary; and

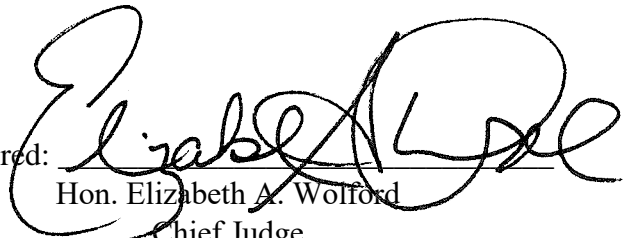
NOW THEREFORE, IT IS ORDERED that the FIVE POINTS CORRECTIONAL FACILITY produce Tommy Lee Brown DIN #98A5078 at any time convenient to the

facility for a privileged and confidential two hour video conference call during the week of October 23, 2023 or October 30, 2023 that is available to Five Points, Ms. Agnew, and her expert; and

IT IS FURTHER ORDERED that Plaintiff must be allowed to participate in the video conference in a privileged and confidential manner with the presence of Ms. Agnew, but without the presence of any other third parties in the room, unless safety and security issues necessitate the termination of Mr. Brown's presence on the call.

Dated: October 13, 2023

So ordered:

A large, stylized handwritten signature in black ink, which appears to read "Elizabeth A. Wolford". The signature is written over a horizontal line.

Hon. Elizabeth A. Wolford
Chief Judge
United States District Court